

Amendment No. 1 to SB2268

Kelsey  
Signature of Sponsor

**AMEND Senate Bill No. 2268**

**House Bill No. 2134\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-5-101(f)(1), is amended by deleting the third and fourth sentences of the subdivision and substituting instead the following:

If the full amount of child support is not paid by the date when the ordered support is due, the unpaid amount that is in arrears, shall become a judgment for the unpaid amounts, and shall accrue interest pursuant to subdivision (f)(1)(B).

SECTION 2. Tennessee Code Annotated, Section 36-5-101(f)(1), is amended by redesignating the subdivision as subdivision (f)(1)(A) and adding the following subdivision (f)(1)(B):

(B)

(i) Interest on unpaid child support that is in arrears shall accrue from the date of the arrearage at the rate of twelve percent (12%) per year; provided, that interest shall no longer accrue on or after April 17, 2017, unless the court makes a written finding that interest shall continue to accrue. In making such finding, the court shall set the rate at which interest shall accrue after consideration of any factors the court deems relevant; provided, that the interest rate shall be no more than four percent (4%) per year.

(ii) On or after July 1, 2018, interest on arrearages in non-Title IV-D cases shall accrue at the rate of six percent (6%) per year; provided, however, that the court, in its discretion, may reduce the rate of interest to a lower interest rate, including no interest, as deemed appropriate under the circumstances. In

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making its determination, the court may consider any factors the court deems relevant.

(iii) On or after July 1, 2018, interest shall not accrue on arrearages in Title IV-D cases unless the court makes a written finding that interest shall continue to accrue. In making such finding, the court shall set the rate at which interest shall accrue after consideration of any factors the court deems relevant; provided, that the interest rate shall be no more than six percent (6%) per year.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.